

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**CIVIL MINUTES - GENERAL**

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Case No.	2:14-cv-00815-CAS(JCx)	Date	March 6, 2015
Title	EVERETT PRATT v. DELTA AIR LINES INC., ET AL.		

Present: The Honorable	<u>CHRISTINA A. SNYDER</u>		
CATHERINE JEANG	Not Present	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
Not Present		Not Present	

**Proceedings:** **(In Chambers) PLAINTIFF'S EX PARTE APPLICATION TO COMPEL THE DEPOSITION OF CHARLES GOULD AND REOPEN DISCOVERY IN ORDER FOR PLAINTIFF TO TAKE SUCH DEPOSITION (Dkt. No. 20)**

The Court is in receipt of plaintiff's *ex parte* application to compel the deposition of Charles Gould and reopen discovery for the purpose of taking said deposition, as well as defendant's opposition thereto. Dkt. Nos. 20, 21. It appears that plaintiff's trial counsel did not learn that Gould's deposition had not been taken until after the January 23, 2015 discovery cutoff had passed, because a contract attorney hired to take depositions did not inform trial counsel until February 11, 2015, that Gould had moved to Florida and therefore had not been deposed as planned. Although facts known to a contract attorney hired by trial counsel may be fairly imputed to trial counsel, in this case, plaintiff's counsel has demonstrated some excusable neglect. In light of the potential importance of Gould's testimony to plaintiff's claims, the Court concludes that the discovery cutoff should be enlarged to allow plaintiff to take Gould's deposition.

Accordingly, the Court enlarges the discovery cutoff to April 13, 2015, for the sole purpose of allowing plaintiff to obtain Gould's deposition. Defendant's pending motion for summary judgment shall be heard on May 4, 2015. Plaintiff's opposition to defendant's motion for summary judgment shall be filed no later than April 20, 2015. Defendant's reply shall be filed no later than April 27, 2015. The pretrial conference and hearing on motions *in limine* will be held on June 1, 2015, at 11:00 A.M. The trial in this matter shall begin on June 9, 2015, at 9:30 A.M.

IT IS SO ORDERED.

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Initials of Preparer

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